

COMMON COUNCIL

Official Proceedings of the 2011-2012 Common Council of the City of Sheboygan.

SIXTEENTH REGULAR MEETING

The Council met: Monday, November 21, 2011.

Mayor Bob Ryan in the Chair:

On call of the roll, the following Alderpersons were present:

Boeldt, Bohren, Carlson, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Absent and Excused: Dekker – 1.

On motion by Alderperson Hammond and second by Alderperson Bohren, the reading of the minutes of the Fifteenth Regular Meeting held November 7, 2011, were approved as entered on the record, all Alderpersons present voting "Aye".

MAYOR'S APPOINTMENTS

November 21, 2011

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointment for your consideration:

Kevin Reetz to be considered for appointment to the Housing Authority to fill the unexpired term of Joe Rupnik whose term expires 4/23/12.

Robert Ryan, Mayor

Lies over under the rules.

November 21, 2011

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointments for your consideration:

Ald. Darryl Carlson, to be appointed to the Finance Committee as Vice Chairman to fill the unexpired term of Eric Rindfleisch, whose term expires 4/16/12.

Ald. Frederick Boeldt, to be appointed to the Law & Licensing Committee to fill the unexpired term of Eric Rindfleisch, whose term expires 4/16/12.

Ald. Kevin Sampson, to be appointed to the Sustainable Sheboygan Task Force to fill the unexpired term of Eric Rindfleisch, whose term expires 4/16/12.

Bob Ryan, Mayor

Lies over under the rules.

CONFIRMATION OF MAYOR'S APPOINTMENT

November 7, 2011

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointments for your confirmation:

BUSINESS IMPROVEMENT DISTRICT

<u>NAME</u>	<u>APPOINTED</u>	<u>EXPIRES</u>
Cleo Messner	11/07/11	09/12/14
Eileen Simenz	11/07/11	09/12/14
Caitlin Brotz	11/07/11	09/12/14
Mike Miller	11/07/11	09/12/14
Mary Christian	11/07/11	09/12/14
Bill Holbrook	11/07/11	09/12/14
MAYOR BOB RYAN		

On motion by Alderperson Hammond and second by Alderperson Roeseler, the Appointment was confirmed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Nays: None.

PUBLIC FORUM

Agnes Soerens, 1415 Camelot Blvd. and Tom Bowers, 2120 N. 36th St. spoke.

MAYOR'S ANNOUNCEMENTS

HEARINGS

Hearing No. 6 - 11 - 12. November 21, 2011.

Pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City of Sheboygan Official Zoning Map to change the Use District Classification of the following described property from Class NR Neighborhood Residential to Class NC Neighborhood Commercial Classification:

1216 Union Ave., Sec. 27, T15N, R23E:

Lot 14, Blk. 5, Assessment Subd. No. 18, City of Sheboygan, Sheboygan County, Wisconsin

All interested persons will now be heard.

Philip Ninnemann, 1804A S. 17th St. and Laurie Maki, 2006 S. 12th St. spoke.

Hearing No. 7 - 11 - 12. November 21, 2011.

As published by the Chief Administrative Officer, per Sec. 65.90(4), Wis. Stats., a public hearing shall be held this evening at which any resident or taxpayer of the governmental unit shall have an opportunity to be heard on the proposed budget.

All interested persons will be heard.

The following spoke: Christina & Indigo Castillejos, Maeve Quinn, Arthur Zettel, Mary Lynne Donohue, Cory Andreasen, Carol Dussault, and Kathy Krueger.

On motion by Alderperson Hammond and second by Alderperson Roeseler, the two (2) foregoing hearings were closed, all Alderpersons present voting "Aye".

On motion by Alderperson Hammond and second by Alderperson Bohren, the following documents notated with an asterick (*) were accepted and placed on file, accepted and adopted, or passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Nays: None.

REPORTS OF OFFICERS

R. O. No. 276 - 11 - 12. By CITY CLERK. November 21, 2011.

Submitting the Certification of the Apportionment of State and County Property Taxes and Charges from Sheboygan County for the year 2011.

Lies over to November 28th.

R. O. No. 277 - 11 - 12. By CITY PLAN COMMISSION. November 21, 2011.

Your Commission to whom was referred Gen. Ord. No. 43-11-12 and R. O. No. 252-11-12 relative to granting Joseph E. and Kathleen K. Jantz the privilege of encroaching upon described portions of Wisconsin Avenue located at N. 15th Street and Wisconsin Ave. for the purpose of paving a parking lot (810 N. 14th St.); wishes to report this matter was discussed at the regular meeting of the City Plan Commission, November 15, 2011, and after due consideration, recommends approval of the encroachment and the Report of Officer be placed on file.

Was referred to the City Plan Commission.

R. O. No. 278 - 11 - 12. By CITY CLERK. November 21, 2011.

Submitting a communication from Ann Adams of Van Der Vaart, Inc., requesting permission to put up "Attention Getter" signs on City-owned property during The Sheboygan Home Expo 2012 to be held at the Sheboygan Blue Line Ice Center.

Was referred to the Committee on Public Works.

R. O. No. 279 - 11 - 12. By CITY CLERK. November 21, 2011.

Submitting a communication from Randy Schwoerer, Harbor Centre BID Manager, requesting permission to create a skating rink for 2011-2012 on South Pier.

Was referred to the Redevelopment Authority.

R. O. No. 280 - 11 - 12. By CITY CLERK. November 21, 2011.

Submitting a Notice of Entry of Judgment and Findings of Fact Conclusions of Law and Judgment of Foreclosure in the matter of Wisconsin Housing and Economic Development Authority vs. Peter Zabel et al.

Was referred to the Special Committee on Risk Management.

R. O. No. 281 - 11 - 12. By CITY CLERK. November 21, 2011.

November 21, 2011

Submitting a communication from Dimple Adams stating her concerns about the election for Alderpersons for District #5, privatizing garbage collection, Committee of the Whole meetings in closed session and Executive Powers of the City stopping with the President of the Council.

Was referred to the Committee of the Whole.

R. O. No. 282 - 11 - 12. By CITY CLERK. November 21, 2011.

Submitting a communication from Alderperson Bohren being a survey of Mayor salaries from various municipalities.

Was referred to the Committee of the Whole.

R. O. No. 283 - 11 - 12. By CITY CLERK. November 21, 2011.

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Was referred to the Committee on Law and Licensing.

R. O. No. 284 - 11 - 12. By CITY CLERK. November 21, 2011.

Submitting a claim from Sharon K. Leider for alleged damages to her vehicle when a City truck was vacuuming leaves and backed into her parked vehicle.

Was referred to the Special Committee on Risk Management.

R. O. No. 285 - 11 - 12. By CITY CLERK. November 21, 2011.

Submitting various license applications.

COMMERCIAL OPERATORS LICENSE APPLICATION (December 31, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2872	All Seasons Odd Jobs	1117 S. 16 th St.

COMMERCIAL OPERATORS LICENSE APPLICATION (December 31, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1945	A & M Trees LLC	7230 Sauk Trail Rd.
1059	Castle Pine Land Impr.	W2626 Schneider Rd., Sheboygan Falls
1084	Courtyard Landscape Serv.	W2869 Wilson Lima Rd., Oostburg
1843	Dauns Professional Lawns	4512 White Oak Ln.
2790	Five Star Property Serv.	1036 Ontario Ave.
1798	Greenscape	4837 Stonefield Rd.
1154	Harolds Landscaping & Exc	W4740 Cty MM, Elkhart Lake
2609	Hillcrest Trees & Landsc.	N7497 Sate Rd. 32, Sheboygan Falls
1816	JB Lawn Care	4425 Lakeshore Rd.
1173	Jerrys Lawn & Grounds Serv.	2913 S. 17 th St.
1200	Lakeside Lawn Service	N2222 Foster Rd. S, Oostburg
1202	Landmark Landscape Inc.	W3923 Cty O, Sheboygan Falls
1721	Larry Sommersberger	3904 High Cliff Ct.
1814	Morse Landscaping	2737 N. 21 st St.
2688	Parms Landscape Manage.	1622 N. 7 th St.
1999	Professional Landscaping	836 Wisconsin Ave., Oostburg
1315	Schmidts Landscaping	W3127 N Cty Hwy A., Sheboygan Falls
1951	Scotty Landscape Supply	3823 Enterprise Dr.
1322	Serenity Farm Landscaping	2803 Old Park Rd.
1385	Stevie Bs Landscaping	N7332 Cty Rd LS
2473	Stump Eliminators, LLC	726 N. 25 th St.
2610	Superior Law & Garden, LLC	6510 Superior Ave., Kohler
1943	T & M Lawn Builders/Care	N4338 Claver Ct. Rd., Sheboygan Falls
1967	The Handyman LLC	1432 N. 17 th St.
2132	Top Notch Tree & Stump	931 Beech St., Cleveland
2280	Trepaniers Lawn & Snow	W5975 Pheasant Lane, Plymouth

MASSAGE ESTABLISHMENT LICENSE APPLICATION (12/31/2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2871	Hands in Motion	1224 Weeden Creek Rd.

SECONDHAND DEALER LICENSE APPLICATION (December 31, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1741	BJS Shooters Supply & Rep.	1822 N. 12 th St.
2749	British International	10261 N Scottsdale Rd., Scottsdale, AZ

2507	Crescent Jewelers	20501 S LaGrange Rd., Frankfort, IL
1109	Ehrmans Fine Jewelry	815 N. 8 th St.
2777	Freaktoyz	526 N. 8 th St.
1132	Gibson Girls	322 Bell Ave.
2852	Heritage Showcase LLC	1614 Indiana Ave.
1187	Kisiolek Jewelers	1103 N. 8 th St.
1320	Scroggins Jewelers	621 N. 8 th St.

On motion by Alderperson Hammond and second by Alderperson Hammen, the Report of Officer was accepted and filed and approved on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWee, Versey – 14.

Nays: None.

RESOLUTION INTRODUCED

***Res. No. 98 - 11 - 12. By Alderpersons Kittelson and Kath. November 21, 2011.**

A RESOLUTION directing a public hearing to be held in connection with change of the City's Official Zoning Map for property located at 1426 N. 28th St.

RESOLVED: That the City Clerk is hereby directed to publish the following notice in the official newspaper in accordance with the provisions of §62.23(7)(d) of the Wisconsin Statutes:

NOTICE OF PUBLIC HEARING ON AMENDMENT TO THE SHEBOYGAN ZONING ORDINANCE

Notice is hereby given that a public hearing will be held at 7:00 P.M., December 19, 2011, in the Council Chambers of the City Hall, Sheboygan, Wisconsin, to give persons an opportunity to be heard relative to the proposed amendment to the City of Sheboygan's Official Zoning Map. The purpose of the amendment is to change the Use District Classification of the following described property from Class SC Suburban Commercial to Class MR-8 Mixed Residential-8 Classification:

Property located at 1426 N. 28th St., Section 21, T15N, R23E

Being part of the NE ¼ of the NE ¼ of Section 21, T15N, R23E, in the City of Sheboygan being more particularly described as:

O. C. Neumeisters RE Subdivision No. 2 South 60 feet of Lot 2, Block 3 and the South 60 feet of Lot 6, Block 7, Smith Garden, S21, T15, R23.

Res. No. 99 – 11 - 12. By Alderperson Kittelson. November 21, 2011.

A RESOLUTION authorizing acceptance of 2012 Wisconsin Bureau of Transportation Safety, Seat Belt Enforcement Grant.

WHEREAS, the City of Sheboygan Police Department has the opportunity to obtain a grant in the total amount of \$30,000 from the Wisconsin Department of Transportation, Bureau of Transportation Safety, to assist in developing the city's capacity to provide additional patrols engaging in high visibility enforcement of speeding and seat belt enforcement,

WHEREAS, during 2010 48% of persons killed and 25% of persons sustaining incapacitating injuries in Wisconsin crashes were not wearing safety belts and many of these people were ejected from their vehicle. Statewide safety belt use was 79.2% in 2010, however Wisconsin safety belt use still remains about six percentage points lower than the national average. It has been estimated that safety belt use by motor vehicle occupants in Wisconsin prevents more than 200 traffic related fatalities and more than 8,000 serious injuries annually,

WHEREAS, in order to obtain the grant in the amount of \$35,000, it was necessary for the Police Chief to submit an application through the Wisconsin Department of Transportation, Bureau of Transportation Safety,

WHEREAS, the funding received would be \$30,000 from Federal sources with a local match of 25% required,

WHEREAS, the 25% match would be met within the current Police Department Budget.

NOW, THEREFORE, BE IT RESOLVED: That the City of Sheboygan Common Council authorizes the Chief of Police to sign all documents necessary for the grant application and the administration thereof.

On motion by Alderperson Kittelson and second by Alderperson Van Akkeren, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWee, Versey – 14.

Nays: None.

Res. No. 100 – 11 - 12. By Alderperson Kittelson. November 21, 2011.

A RESOLUTION authorizing application for 2012 Wisconsin Department of Transportation, Bureau of Transportation Safety, Data Driven Approaches To Crime and Traffic Safety Grant Solicitation.

November 21, 2011

WHEREAS, the City of Sheboygan Police Department has the opportunity to obtain a grant in the total amount of \$35,000 from the Wisconsin Department of Transportation, Bureau of Transportation Safety funded by the National Highway Traffic Safety Administration,

WHEREAS, The National Highway Traffic Safety Administration has recognized that there is a relationship between traffic safety enforcement, and crime. That the simple act of enforcing Traffic Safety Law, often results in criminal apprehension, as criminals also tend to be "bad actors" when operating a motor-vehicle and the utilization of Highly Visible Enforcement in areas plagued by both traffic safety and crime issues, allows the Law Enforcement Agency to effectively address two issues at once,

WHEREAS, in order to obtain the grant in the amount of \$35,000, it was necessary for the Police Chief to submit an application through the Wisconsin Department of Transportation, Bureau of Transportation Safety,

WHEREAS, the funding received would be \$35,000 from Federal sources with a local match of 25% required, and

WHEREAS, the 25% match would be met within the current Police Department Budget and the deployment of resources to High Visibility Traffic Enforcement based on local crime and crash data.

NOW, THEREFORE, BE IT RESOLVED: That the City of Sheboygan Common Council authorizes the Chief of Police to sign all documents necessary for the grant application and the administration thereof.

On motion by Alderperson Kittelson and second by Alderperson Roeseler, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Nays: None.

Res. No. 101 - 11 - 12. By Alderpersons Hammond, Bohren, Matichek and Van Akkeren. November 21, 2011.

A RESOLUTION approving Information Technology Department policy IT-06.

WHEREAS, the Information Technology Manager has proposed establishing a social media policy;

WHEREAS, the policies establishes guidelines for the establishment and use by the City of Sheboygan of social media sites (including but not limited to Facebook and Twitter) as a means of conveying City of Sheboygan information to its citizens.

RESOLVED: That the appropriate City officials are hereby authorized and directed to enforce the attached Information Technology policy upon passage and publication.

On motion by Alderperson Hammond and second by Alderperson Bohren, the Resolution was passed, all Alderpersons present voting "Aye".

Res. No. 102 – 11 - 12. By Alderpersons Hammond, Bohren, Matichek and Van Akkeren. November 21, 2011.

A RESOLUTION authorizing the Chief Administrative Officer to enter into contract for obtaining audit services.

RESOLVED: That the Chief Administrative Officer is hereby authorized to enter into contract with Schenck SC for providing audit services for the fiscal years 2011 and 2012 at a cost of \$36,100 for 2011 and \$37,200 for 2012 for a total of \$73,300.

BE IT FURTHER RESOLVED: That the appropriate City officials are hereby authorized to draw orders on the Annual Audit Account Number 10110100-521110, the Mead Library Fund, the Parking Utility Fund, Shoreline Metro Fund and the Wastewater System Fund in payment of same.

On motion by Alderperson Hammond and second by Alderperson Bohren, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele – 13.

Nays: Versey – 1.

Res. No. 103 - 11 - 12. By Alderpersons Hammond, Bohren, Matichek and Van Akkeren. November 21, 2011.

A RESOLUTION authorizing the Purchasing Agent to enter into final negotiations and preparations culminating in the signing of a contract for the provision of janitorial services for the City of Sheboygan City Hall, in its entirety; and specific portions of the Municipal Service Building and the Wastewater Treatment.

On motion by Alderperson Bohren and second by Alderperson Van Akkeren, the Resolution was passed, all Alderpersons present voting "Aye".

Res. No. 104 - 11 - 12. By Alderperson Kittelson. November 21, 2011.

A RESOLUTION authorizing the appropriate City officials to execute the Lease Agreement on behalf of the Sheboygan Police Department as lead agency for the Sheboygan County MEG Unit with Sheboygan County for administrative space.

Was referred to the Committee on Public Protection and Safety.

Res. No. 105 - 11 - 12. By Alderperson Kittelson. November 21, 2011.

A RESOLUTION authorizing the Mayor to execute the Joint Powers Agreement for Sheboygan County and City of Sheboygan 911 Emergency Systems.

Was referred to the Committee on Public Protection and Safety.

Res. No. 106 - 11 - 12. By Alderperson Bohren. November 21, 2011.

A RESOLUTION authorizing entering into Amendment No. 1 to the Agreement for Engineering Services for South 18th Street Reconstruction Project between the City of Sheboygan and Robert E. Lee & Associates, Inc.

Was referred to the Committee on Public Works.

Res. No. 107 - 11 - 12. By Alderperson Bohren. November 21, 2011.

A RESOLUTION authorizing entering into Amendment No. 2 to the Agreement for Engineering Services for Center Avenue, New York Avenue, Wisconsin Avenue, North 6th Street (Part A); Wisconsin Avenue, Washington Court and North 5th Street (Part B) between the City of Sheboygan and Robert E. Lee & Associates, Inc.

Was referred to the Committee on Public Works.

Res. No. 108 - 11 - 12. By Alderperson Bohren. November 21, 2011.

A RESOLUTION authorizing entering into Amendment No. 3 to the Agreement for Engineering Services for Huron Avenue from North 10th Street to North 14th Street between the City of Sheboygan and Robert E. Lee & Associates, Inc.

Was referred to the Committee on Public Works.

REPORTS OF COMMITTEES

***R. C. No. 228 - 11 - 12. By LAW AND LICENSING. November 21, 2011.**

Your Committee to whom was referred a copy of Com. No. 12-11-12 from Kathy and Bernie Ross stating that they are opposed to the approval of any liquor licensing in their area of S. 12th St. as there are too many schools in walking distance; recommends that the document be placed on file.

***R. C. No. 229 - 11 - 12. By LAW AND LICENSING. November 21, 2011.**

Your Committee to whom was referred R. O. No. 233-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE (June 30, 2013)

<u>No.</u>	<u>Name</u>
9357	Kraemer, Drew E.
9360	Voland, Cheryl A.
8390	Wiedmeyer, Ashley N.
9359	Wilke, Patricia J.
9363	Wilsing, Lynn M.

TAXICAB DRIVER LICENSE APPLICATION (June 30, 2012)

<u>No.</u>	<u>Name</u>
9365	Jensen, Drew M.
5635	Martinez, Efren
8177	McKenzie, David J.
9347	Yessin, Samir A.

We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

***R. C. No. 230 - 11 - 12. By FINANCE. November 21, 2011.**

Your Committee to whom was referred R. O. No. 255-11-12 by the Purchasing Agent submitting bids for the modification of the eaves followed by the installation of gutters and downspouts on the Harbor Centre Marina Administration Building; recommends that the Report of Officer be accepted and placed on file.

***R. C. No. 231 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. November 21, 2011.**

Your Committee to whom was referred the following:

1. R. O. No. 261-11-12 by the Building Inspection Department submitting their report for September 2011; and
 2. R. O. No. 262-11-12 by the Building Inspection Department submitting their report for October 2011;
- recommends that the Reports of Officer be accepted and placed on file.

***R. C. No. 232 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. November 21, 2011.**

Your Committee to whom was referred R. O. No. 263-11-12 by the Chief of Police submitting his quarterly report for the period commencing July 1, 2011 and ending September 30, 2011; recommends that the Report of Committee be accepted and placed on file.

***R. C. No. 233 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. November 21, 2011.**

Your Committee to whom was referred R. O. No. 264-11-12 by the City Clerk submitting a communication from Lester Pierce stating that the parking signs at the intersection of 5th St. and Washington Ave. were removed in 2000 but the yield sign is a problem and requesting that the committee look into this; recommends that the document be placed on file.

***R. C. No. 234 - 11 - 12. By PUBLIC WORKS. November 21, 2011.**

Your Committee to whom was referred R. O. No. 270-11-12 by the City Clerk submitting a communication from Brett Edgerle requesting the use of the Quarryview Building for the 2012 XTERRA Dairyland set for August 11, 2012; recommends that the document be accepted and placed on file and to approve the request which (the date) was changed from August 11th to June 30, 2012.

***R. C. No. 235 - 11 - 12. By PUBLIC WORKS. November 21, 2011.**

Your Committee to whom was referred R. O. No. 271-11-12 by the City Clerk submitting a communication from Jill Zschetzsche regarding the problems she and some of her neighbors are having with street lights in the alley shining into their homes; recommends that the document be accepted and placed on file and to have staff follow-up at the next meeting.

***R. C. No. 236 - 11 - 12. By LAW AND LICENSING. November 21, 2011.**

Your Committee to whom was referred, pursuant to R. O. No. 259-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:
BEVERAGE OPERATOR'S LICENSE (June 30, 2013)

<u>No.</u>	<u>Name</u>
9370	Tetzlaff, Wendy J.

We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

R. C. No. 237 - 11 - 12. By LAW AND LICENSING. November 21, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 233-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; makes no recommendation on the following license and forwards the decision to the Common Council:

TAXICAB DRIVER LICENSE APPLICATION (June 30, 2012)

<u>No.</u>	<u>Name</u>
9351	Yera, Javier F.

On motion by Alderperson Hammond and second by Alderperson VanderWeele, the Report of Committee was granted on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Hammen, Hammond, Heidemann, Kittelson, Matichek, Roeseler, Sampson, VanderWeele – 11.

Nays: Kath, Van Akkeren, Versey – 3.

R. C. No. 238 - 11 - 12. By WHOLE. November 21, 2011.

Your Committee who met and discussed the 2012 budget made the recommendation to the full Council for their consideration to privatize garbage stipulating a 5 year contract.

Lies over under the rules to November 28th.

R. C. No. 239 - 11 - 12. By SALARIES AND GRIEVANCES. November 21, 2011.

Your Committee to whom was referred Gen. Ord. No. 39-11-12 by Alderpersons Boeldt, Bohren and Heidemann re-establishing the salary schedule for the office of Mayor (part-time); recommends that a copy of this ordinance referred to the Committee of the Whole.

Was referred to the Committee of the Whole.

R. C. No. 240 - 11 - 12. By SALARIES AND GRIEVANCES. November 21, 2011.

November 21, 2011

Your Committee to whom was referred Gen. Ord. No. 40-11-12 by Alderpersons Bohren, Heidemann, Kath and Versey re-establishing the salary schedule for the office of Mayor (full-time); recommends that a copy of this ordinance be referred to the Committee of the Whole.

Was referred to the Committee of the Whole.

***R. C. No. 241 - 11 - 12. By FINANCE. November 21, 2011.**

Your Committee to whom was referred Res. No. 95-11-12 by Alderperson Hammond authorizing the adoption of the proposed 2012 Operating Plan for Harbor Centre Business Improvement District; recommends that the Resolution be passed.

***R. C. No. 242 - 11 - 12. By FINANCE. November 21, 2011.**

Your Committee to whom was referred Res. No. 96-11-12 by Alderperson Hammond authorizing entering into a Tourism Promotion and Development Agreement with the Sheboygan County Chamber of Commerce and the City of Sheboygan; recommends that the Resolution be passed.

***R. C. No. 243 - 11 - 12. By FINANCE. November 21, 2011.**

Your Committee to whom was referred Res. No. 97-11-12 by Alderperson Hammond authorizing the Purchasing Agent to enter into contract for the modification of the eaves, and the installation of gutters and downspouts and ice protection devices on the Harbor Centre Marina Administration Building; recommends that the Resolution be passed.

R. C. No. 244 - 11 - 12. By WHOLE. November 21, 2011.

Your Committee to whom was referred Res. No. 93-11-12 by Alderpersons Bohren, Matichek and Van Akkeren ordering the 2012 Budget appropriations for the City of Sheboygan funds; recommends that the Resolution be passed.

Lies over under the rules to November 28th.

R. C. No. 245 - 11 - 12. By WHOLE. November 21, 2011.

Your Committee to whom was referred Res. No. 94-11-12 by Alderpersons Hammond, Bohren, Matichek and Van Akkeren ordering the 2012 Budget appropriations and the 2011 Tax Levy for use during the calendar year 2012; recommends that the Resolution be passed.

Lies over under the rules to November 28th.

***R. C. No. 246 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. November 21, 2011.**

Your Committee to whom was referred Gen. Ord. No. 44-11-12 by Alderperson Kittelson relating to stop signs so as to add stop signs at various locations; recommends that the Ordinance be passed.

***R. C. No. 247 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. November 21, 2011.**

Your Committee to whom was referred Gen. Ord. No. 46-11-12 by Alderperson Kittelson so as to require traffic on N. 27th St. to stop at the intersection with Center Ave.; recommends that the Ordinance be passed.

R. C. No. 248 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. November 21, 2011.

Your Committee to whom was referred Gen. Ord. No. 45-11-12 by Alderperson Kittelson amending the Municipal Code relating to Sec. 26-1008 Certification of Compliance with Clearwater Requirements to add permit fees, to require a written request for a Clearwater Inspection, and to further require a permit fee for same; recommends that the Ordinance be passed.

Was accepted and adopted.

RESOLUTIONS ON SECOND READING

***Res. No. 95 - 11 - 12. By Alderperson Hammond. November 7, 2011.**

A RESOLUTION authorizing the adoption of the proposed 2012 Operating Plan for Harbor Centre Business Improvement District.

RESOLVED: That the proposed Operating Plan for Harbor Centre Business Improvement District, a copy of which is attached hereto, is hereby approved.

***Res. No. 96 - 11 - 12. By Alderperson Hammond. November 7, 2011.**

A RESOLUTION authorizing entering into a Tourism Promotion and Development Agreement with the Sheboygan County Chamber of Commerce and the City of Sheboygan.

WHEREAS, as of January 1, 2012, this Agreement shall supersede the Tourism Promotion and Development Agreement dated April, 2010.

November 21, 2011

WHEREAS, the City and Chamber Board agree that the Tourism Board shall be authoritative on decisions related to spending tourism dollars;

WHEREAS, the City believes that the growth potential for tourism within the City of Sheboygan is enhanced by working cooperatively with other entities in Sheboygan County which promotes tourism; and

WHEREAS, the Chamber desires to work with the City in promoting tourism within the City and throughout Sheboygan County.

RESOLVED: That the appropriate City officials are hereby authorized and directed to enter into a Tourism Promotion and Development Agreement with the Sheboygan County Chamber of Commerce.

***Res. No. 97 - 11 - 12. By Alderperson Hammond. November 7, 2011.**

A RESOLUTION authorizing the Purchasing Agent to enter into contract for the modification of the eaves: and installation of gutters and downspouts and ice protection devices on the Harbor Centre Marina Administration Building.

WHEREAS: The Harbor & Marina Committee directed that bids be let for the necessary modifications to the building to allow for and include installation of gutters and downspouts to protect the building from further water damage.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into contract with Butzen Contracting Inc. of Sheboygan for the aforementioned work as detailed in the Report of Officers attached;

BE IT FURTHER RESOLVED that the Marina and Harbor Committee has endorsed (11-2-2011) this work and has recommended that the voluntary alternate proposal by Butzen Contracting for the installation of "Polar Blox" in the amount of \$6,465.00 be included and installed concurrently with the modifications and gutters detailed above.

BE IT FURTHER RESOLVED: That the appropriate City Officials are hereby authorized to draw orders in the amount of \$15,656.00 and \$6,465.00 on the 2011 Harbor Centre Marina Fund Budget Account # 29037500-524110 (Building Exterior Maintenance) in payment of same.

ORDINANCES ON SECOND READING

***Gen. Ord. No. 44 – 11 - 12. By Alderperson Kittelson. November 7, 2011.**

AN ORDINANCE relating to stop signs so as to add stop signs at the locations specified in Section 1 below.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Pursuant to Section 118-126 of the Municipal Code entitled, "Prohibitions and Restrictions Authorized", traffic shall stop at the following intersections:

1. Eastbound traffic on Virginia Lane shall stop at the intersection of Virginia Lane and Riverfront Dr.
2. Southbound traffic on N. 11th St. shall stop at the intersection of N. 11th St. and Water St.
3. Northbound traffic on N. 11th St. shall stop at the intersection of N. 11th St. and School Ave.
4. Westbound traffic on Ontario Ave. shall stop at the intersection of Ontario Ave. and N. 12th St.
5. Northbound traffic on N. 14th St. in the dedicated lane for turning right/east onto Erie Ave. shall stop at the intersection of N. 14th St. and Erie Ave.
6. Southbound traffic on N. 15th St. shall stop at the intersection of N. 15th St. and Pennsylvania Ave.
7. Northbound traffic on N. 15th St. shall stop at the intersection of N. 15th St. and Saemann Ave.
8. Southbound traffic on N. 15th St. in the dedicated lane for turning right/north onto Calumet Dr. shall stop at the intersection of N. 15th St. and Calumet Dr.
9. East and westbound traffic on Virginia Avenue shall stop at the intersection of Virginia Avenue and Riverfront Dr.
10. North and southbound traffic on N. 11th St. shall stop at the intersection of N. 11th St. and Lincoln Ave.
11. North and southbound traffic on N. 12th St. shall stop at the intersection of N. 12th St. and Lincoln Ave.
12. North and southbound traffic on N. 13th St. and S. 13th St. shall stop at the intersection of 13th St. and Pennsylvania Ave.
13. North and southbound traffic on N. 13th St. shall stop at the intersection of N. 13th St. and Lincoln Ave.
14. North and southbound traffic on N. 17th St. shall stop at the intersection of N. 17th St. and Martin Ave.
15. North and southbound traffic on N. 18th St. shall stop at the intersection of N. 18th St. and Calumet Dr.
16. North and southbound traffic on N. 9th St. shall stop at the intersection of N. 9th St. and Lincoln Ave.
17. North and southbound traffic on N. 10th St. shall stop at the intersection of N. 10th St. and Lincoln Ave.
18. North and southbound traffic on N. 4th St. and eastbound traffic on New York Ave. shall stop at the intersection of N. 4th St. and New York Ave.
19. North and south bound traffic on N. 8th St. and east bound traffic on Wisconsin Ave. shall stop at the intersection of N. 8th St. and Wisconsin Ave.
20. North and south bound traffic on N. 8th St. and east and west bound traffic on New York Ave. shall stop at the intersection of N. 8th St. and New York Ave.
21. North and south bound traffic on N. 8th St. and east and west bound traffic on Niagara Ave. shall stop at the intersection of N. 8th St. and Niagara Ave.

November 21, 2011

Section 2. The Department of Public Works and the Police Department are hereby authorized and directed to add the sign(s) to give notification of the aforementioned change.

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

***Gen. Ord. No. 46 – 11 - 12. By Alderperson Kittelson. November 7, 2011.**

AN ORDINANCE relating to stop signs so as to require traffic on N. 27th St. to stop at the intersection with Center Ave.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Pursuant to Section 118-126 of the Municipal Code entitled, "Prohibitions and Restrictions Authorized", north and southbound traffic on North 27th Street shall stop at the intersection of North 27th Street and Center Avenue.

Section 2. The Department of Public Works and the Police Department are hereby authorized and directed to add the sign(s) to give notification of the aforementioned change.

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

Gen. Ord. No. 45 - 11 – 12. By Alderperson Kittelson. November 7, 2011.

AN ORDINANCE amending the City of Sheboygan Municipal Code relating to Section 26-1008 Certification of Compliance with Clearwater Requirements to add permit fees, to require a written request for a Clearwater Inspection, and to further require a permit fee for same.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 26-1008 of the Sheboygan Municipal Code entitled "Certification of Compliance with Clearwater Requirements" is hereby amended in subsections (b) and (c) thereof to read as follows:

"Sec. 26-1008. Certification of Compliance with Clearwater Requirements.

...

(b) Upon written request to the building inspection department an inspection shall be conducted of the premises to ensure compliance with the provisions of Section 26-1002 of the Code relating to illegal surface or ground water connections into the sanitary sewer system. Such inspection shall occur on or before the sale, transfer or conveyance of title of any such building but may occur thereafter if not requested earlier by the owner.

(c) A certificate of compliance shall be issued by the building inspection department if the building is found to be in compliance with the provisions of the Code relating to surface and ground water connections. No certificate shall be issued until all applicable clearwater inspection fees have been paid.

Section 2. Section 26-1008 of the Sheboygan Municipal Code entitled "Certification of Compliance with Clearwater Requirements" is hereby amended so as to create subsection (i), to read as follows:

"Sec. 26-1008. Certification of Compliance with Clearwater Requirements.

...

(i) Clearwater Compliance Inspection Fees

The fee for each inspection pursuant to this section shall be \$40.00, except there shall be no fee for a re-inspection after an initial inspection if the inspector conducting said re-inspection determines that the property is in full compliance with the provisions of 26-1002.

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

Chad Pelishek spoke and on motion by Alderperson Kittelson and second by Alderperson Carlson, the Ordinance was passed on call of the roll:

Ayes: Boeldt, Carlson, Hammen, Hammond, Kittelson, Roeseler, Van Akkeren, VanderWeele – 8.

Nays: Bohren, Heidemann, Matichuk, Sampson, Versey – 5.

Abstain: Kath – 1.

ORDINANCES INTRODUCED

Gen. Ord. No. 47 – 11 – 12. By Alderpersons Roeseler, Versey, Kittelson, Sampson and Dekker. November 21, 2011.

AN ORDINANCE amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to delete/add various positions from the Human Resources Table of Organization and Finance Department of Organization.

Lies over under the rules.

Gen. Ord. No. 48 -11 - 12. By Alderperson Sampson. November 21, 2011.

AN ORDINANCE amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of property located at 1426 N. 28th St. from Class SC Suburban Commercial to Class MR-8 Mixed Residential-8 District.

Was referred to the City Plan Commission.

Gen. Ord. No. 49 - 11 - 12. By Alderperson Kittelson. November 21, 2011.

AN ORDINANCE amending the City of Sheboygan Municipal Code so as to create Section 26-46 relating to the registration of vacant buildings.

Was referred to the Committee on Public Protection and Safety.

Gen. Ord. No. 50 - 11 - 12. By Alderperson Kittelson. November 21, 2011.

AN ORDINANCE relating to stop signs so as to require north and southbound traffic on North 5th Street to stop at the intersection with Washington Court.

Was referred to the Committee on Public Protection and Safety.

Gen. Ord. No. 51 - 11 - 12. By Alderperson Kittelson. November 21, 2011.

AN ORDINANCE amending the City of Sheboygan Municipal Code so as to create Section 26-45 relating to the provision of a local operator for certain properties.

Was referred to the Committee on Public Protection and Safety.

Gen. Ord. No. 52 - 11 - 12. By Alderpersons Roeseler, Versey, Kittelson, Sampson and Dekker. November 21, 2011.

AN ORDINANCE amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to add a position to the Table of Organization in the Department of Public Works for the City of Sheboygan.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 29-75 of the 1975 Sheboygan Municipal Code entitled, "List of Classes and Class Specifications," is hereby amended to add in Section B. 8 Department of Public Works as follows:

Class Title	Job Code	Class Grade	NO. of Employees
-------------	----------	-------------	------------------

B. Department of Public Works

1. Department of Public Works

Add:

Manager of Public Works	A08003D	14	1.0
-------------------------	---------	----	-----

Section 2. The new job description for the Manager of Public Works is attached, and copies of which shall be on file in the offices of the City Clerk, City Finance and Human Resources Department.

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance and attached job descriptions shall be in effect from and after its passage and publication.

A motion by Alderperson Roeseler and second by Alderperson Versey to suspend the rules of the Common Council was passed by unanimous consent.

A motion by Alderperson Roeseler and second by Alderperson Versey was made to pass the Ordinance.

Before action was taken thereon, a motion by Alderperson Hammond and second by Alderperson Bohren was made to refer the Resolution to the Committee on Salaries and Grievances and to the Committee on Public Works passed, all Alderpersons present voting "Aye".

MATTERS LAID OVER

R. O. No. 249 - 11 - 12. By CITY CLERK. November 7, 2011.

Submitting, as a matter of information, a statement from the City Clerk regarding the costs for a potential recall primary and/or recall election in for Mayor Ryan. These figures have not been included in my budget request for 2012.

Estimates as of today are as follows:

Recall Primary - \$15,000

Recall Election - \$15,000

Results packs – per election rental for 17 machines - \$1,500

Results packs – purchase for 17 machines - \$8,160

On motion by Alderperson Hammond and second by Alderperson Van Akkeren, the Report of Officer was accepted and placed on file, all Alderpersons present voting "Aye".

R. O. No. 250 - 11 - 12. By CHIEF ADMINISTRATIVE OFFICER. November 7, 2011

As part of the budget process, the attached listing of the Estimated Unreserved Fund Balances at December 31, 2012 and outstanding debt as of December 31, 2012 is submitted for your review.

Lies over under the rules to November 28th.

November 21, 2011

R. O. No. 251 - 11 - 12. By CITY PLAN COMMISSION. November 7, 2011.

Your Commission to whom was referred Gen. Ord. No. 37-11-12 and R. O. No. 232-11-12 relative to amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1216 Union Avenue from NR Neighborhood Residential to NC Neighborhood Commercial Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, October 25, 2011, and after due consideration, recommends approval of the Ordinance and the Report of Officer be accepted and placed on file.

Gen. Ord. No. 37 - 11 - 12. By Alderpersons Dekker and Boeldt. October 17, 2011.

AN ORDINANCE amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1216 Union Ave. from NR Neighborhood Residential to NC Neighborhood Commercial Classification.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Appendix A, Chapter 15 of the Sheboygan Zoning Ordinance establishing zoning districts and prescribing zoning standards and regulations is hereby amended by changing the Official Zoning Map thereof and Use District Classification of the following described lands:

Property located at 1216 Union Ave., Section 27, T15N, R23E:

Lot 14, Blk. 5, Assessment Subdivision No. 18, City of Sheboygan, Sheboygan County, Wisconsin

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

On motion by Alderperson Sampson and second by Alderperson Roeseler, the Report of Officer and the Ordinance were passed on call of the roll:

Ayes: Bohren, Carlson, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele - 12.

Nays: Boeldt, Versey – 2.

There being no further business, on motion by Alderperson Hammond and second by Alderperson Hammen, the meeting was then adjourned, all Alderpersons present voting "Aye".

Mayor

City Clerk